

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION**

**JOHN LICHTERMAN, VINCE  
MARASCUILO and MARSHA  
MARASCUILO**

**PLAINTIFFS**

**V.**

**CIVIL ACTION NO.: 1:07CV256-SA-JAD**

**PICKWICK PINES MARINA, INC.,  
TISHOMINGO COUNTY DEVELOPMENT  
FOUNDATION, and TENNESSEE VALLEY  
AUTHORITY**

**DEFENDANTS**

**ORDER**

Pursuant to an opinion issued this day, it is hereby ORDERED that:

- (1) Pickwick Pines' Motion to Dismiss [24] is granted in part and denied in part;
- (2) TCDF's Motion to Dismiss [45] is granted in part and denied in part; and
- (3) TVA's Motion to Dismiss [29], converted to one for Summary Judgment, is denied as premature.

SO ORDERED, this the 16th day of March, 2009.

/s/ Sharion Aycock  
UNITED STATES DISTRICT JUDGE  
NORTHERN DISTRICT OF MISSISSIPPI